FEDERAL REGISTER

VOLUME 18 NUMBER 101

Washington, Tuesday, May 26, 1953

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10455

INSPECTION OF INCOME, EXCESS-PROFITS, DECLARED VALUE EXCESS-PROFITS, CAPITAL STOCK, ESTATE, AND GIFT TAX RETURNS BY THE COMMITTEE ON GOVERNMENT OPERATIONS, HOUSE OF REPRESENTATIVES

By virtue of the authority vested in me by sections 55 (a) 508, 603, 729 (a) and 1204 of the Internal Revenue Code (53 Stat. 29, 111, 171, 54 Stat. 989, 1008; 55 Stat. 722; 26 U. S. C. 55 (a) 508, 603, 729 (a) and 1204) it is hereby ordered that any income, excess-profits, declared value excess-profits, capital stock, estate, or gift tax return for any period to and including 1952, shall, during the Eighty-third Congress, be open to inspection by the Committee on Government Operations, House of Representatives, or any duly authorized subcommittee thereof in connection with its studies of the operation of Government activities at all levels with a view to determining its economy and efficiency, subject to the conditions stated in the Treasury decision[1] relating to the inspection of such returns by that Committee, approved by me this date.

This Executive order shall be effective upon its filing for publication in the FEDERAL REGISTER.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
May 22, 1953.

[F. R. Doc. 53-4639; Filed, May 25, 1953; 9:57 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 962—FRESH PEACHES GROWN IN GEORGIA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 962.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of this order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held at Macon, Georgia, on March 17, 1953, upon proposed amendments to Marketing Agreement No. 99, as amended, and Order No. 62, as amended (7 CFR Part 962) regulating the handling of fresh peaches grown in Georgia. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said order, as amended, and as hereby further amended, regulates the handling of peaches grown in Georgia in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in the marketing agreement upon which hearings have been held;

(3) The said order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area that is practicable, consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of such regional production area would not effectively carry out the declared policy of the act; and

(4) The said order, as amended, and as hereby further amended, prescribes such different terms applicable to different marketing areas, as are necessary to give due recognition to such differences in the marketing of such peaches.

(Continued on p. 3015)

[1] See Title 26, Chapter I, Part 458, *infra.*

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

(b) *Additional findings.* It is hereby found and determined, on the basis hereinafter indicated, that good cause exists for making the provisions of this order effective not later than the date of publication in the FEDERAL REGISTER; and that it would be contrary to the public interest to postpone such effective date until 30 days after publication (60 Stat. 237; 5 U. S. C. 1001 et seq.) It is necessary, in the public interest, to make this order effective upon publication in the FEDERAL REGISTER, so as to facilitate, promote, and maintain orderly marketing of the peaches covered hereunder. Initial shipments of early varieties of Georgia peaches are expected during the week commencing on May 17 with movement in volume, and regulations applicable thereto, to begin soon thereafter. It is necessary, therefore, to make this order effective promptly so that it will be operative prior to the date on which such regulations may be formulated and issued. In this way, the full benefits of the amended program will become available to producers and handlers throughout the 1953 marketing season. The provisions of this order are well known to handlers, the public hearing on the amendments having been held in Macon, Georgia, on March 17, 1953, and the decision having been published on April 22 (18 F. R. 2344) Handlers and producers have received copies of the text of the amendatory order; and compliance with the provisions hereof, which tend to relieve restrictions against the handling of such peaches, will not require any advance preparation on the part of persons subject thereto that cannot be completed prior to such effective date.

(c) *Determination.* It is hereby determined that: (1) The agreement amending the marketing agreement, as amended, regulating the handling of fresh peaches grown in Georgia, upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the peaches covered by this order) who, during the calendar year 1952, handled not less than 50 percent of the volume of peaches covered by said order as hereby amended;

(2) The aforesaid agreement, amending the said marketing agreement, as amended, has been executed by handlers who were signatory parties to said marketing agreement and who during the determined representative period (the calendar year 1952) shipped not less than 50 percent of the peaches grown in Georgia, shipped by all signatory handlers to said marketing agreement during such representative period;

(3) The issuance of this order, amending the aforesaid order, as amended, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the aforesaid representative period, have been engaged, within the State of Georgia, in the production of peaches for market; and

(4) The issuance of this order, amending the aforesaid order, as amended, is favored or approved by producers who, during said representative period, have produced for market at least two-thirds of the volume of such peaches produced for market within the State of Georgia.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of fresh peaches grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

1. Delete § 962.11 and insert, in lieu thereof, the following:

§ 962.11 *Adjacent markets.* "Adjacent markets" means the States of Florida, Alabama, Tennessee, North Carolina, South Carolina, Mississippi, and that portion of Louisiana which is east of the Mississippi River.

2. Add a new § 962.12 to read as follows:

§ 962.12 *Peaches in bulk.* "Peaches in bulk" means peaches loose in a conveyance or loose in containers without being place-packed or ring-faced and without liners.

3. Delete § 962.62 and substitute, in lieu thereof, the following:

§ 962.62 *Exemption certificates.* In the event peaches are regulated pursuant to §§ 962.60 or 962.61, the committee shall issue one or more exemption certificates to any grower who furnishes evidence satisfactory to the Industry Committee that, by virtue of conditions beyond his control, he will be prevented by reason of such regulation from having as large a proportion of a particular variety of his peaches shipped to adjacent markets or to other markets, respectively, as the average proportion of all such peaches which may be so shipped by all growers in the area. Such exemption certificate shall permit the respective grower to whom the certificate is issued to ship, or have shipped, a percentage of his crop of such variety of peaches equal to the percentage determined as aforesaid. The Industry Committee shall adopt, with the approval of the Secretary, procedural rules by which such exemption certificates will be issued to growers. Such exemption certificates may be transferred to handlers when accompanied by peaches covered by such certificates.

4. Delete the colon immediately preceding the proviso in the first sentence of § 962.64 and insert in lieu thereof, the following: " unless such regulation provides that this requirement shall not be applicable to any shipment of peaches in bulk to the adjacent markets:"

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 20th day of May 1953, to become effective upon publication in the FEDERAL REGISTER.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-4609; Filed, May 25, 1953; 8:54 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6062]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UTILITY BLANKET CO. AND HYE MERCANTILE CO.

Subpart—*Misbranding or mislabeling:* § 3.1190 *Composition: Wool Products Labeling Act;* § 3.1325 *Source or origin*—Maker or seller—Wool Products Labeling Act; Subpart—*Neglecting, unfairly or deceptively, to make material disclosure;* § 3.1845 *Composition*—Wool Products

Labeling Act; § 3.1900 *Source or origin*—Wool Products Labeling Act. In connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, of blankets or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool" "reprocessed wool" or "reused wool" as those terms are defined in said act, misbranding such products by, (1) falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers therein; (2) failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in clear and conspicuous manner: (a) The percentage of the total fiber weight of such product, exclusive of ornamentation not exceeding five per centum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five per centum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any nonfibrous loading, filling, or adulterating matter; and (c) the name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivering for shipment thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and in the Wool Products Labeling Act of 1939; prohibited, subject to the provision, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939, and subject to the further provision that nothing contained in the order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

(Sec. 6, 38 Stat. 722, sec. 6, 54 Stat. 1131; 15 U. S. C. 46, 68d. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2–5, 54 Stat. 1128–1130, 15 U. S. C. 45, 68–68c) [Cease and desist order, Nye N. Sussman d. b. a. Utility Blanket Company, etc., New York, N. Y., Docket 6062, February 24, 1953]

In the Matter of Nye N. Sussman, Trading and Doing Business as Utility Blanket Company and as Nye Mercantile Company

This proceeding was heard by John Lewis, hearing examiner, upon the complaint of the Commission and respondent's answer, in which he admitted all the material allegations of fact set forth in said complaint and waived any hearing as to the facts and all intervening procedure, except the right to submit proposed findings and conclusions and the right to appeal from the initial decision.

Thereafter the proceeding regularly came on for final consideration by said examiner, theretofore duly designated by the Commission, upon the complaint and answer thereto, no proposed findings and conclusions having been submitted by counsel, and all intervening procedure having been waived, and said examiner having duly considered the record in the matter and having found that the proceeding was in the interest of the public, made his initial decision, comprising certain findings as to the facts,[1] conclusions drawn therefrom,[1] and order to cease and desist.

No appeal having been filed from said initial decision of said hearing examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on February 24, 1953.

The said order to cease and desist is as follows:

It is ordered, That the respondent Nye N. Sussman, individually and trading under the names of Utility Blanket Company and Nye Mercantile Company or trading under any other name, and said respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and in the Wool Products Labeling Act of 1939, of blankets or other "wool products," as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as those terms are defined in said act, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers therein;

2. Failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in clear and conspicuous manner:

(a) The percentage of the total fiber weight of such product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of such wool product of any nonfibrous loading, filling, or adulterating matter;

(c) The name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivering for shipment thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and in the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939, *And provided further,* That nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

By "Decision of the Commission and order to file report of compliance," Docket 6062, February 24, 1953, which announced and decreed fruition of said initial decision, report of compliance was required as follows:

It is ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: February 24, 1953.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 53-4604; Filed, May 25, 1953; 8:52 a. m.]

[1] Filed as part of the original document.

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 6012]

PART 458—INSPECTION OF RETURNS

INSPECTION OF INCOME, EXCESS-PROFITS, DECLARED VALUE EXCESS-PROFITS, CAPITAL STOCK, ESTATE, AND GIFT TAX RETURNS BY THE COMMITTEE ON GOVERNMENT OPERATIONS, HOUSE OF REPRESENTATIVES

§ 458.320 *Inspection of returns by the Committee on Government Operations, House of Representatives, during 83d Congress.* (a) (1) Pursuant to the provisions of sections 55 (a), 508, 603, 729 (a) and 1204 of the Internal Revenue Code (53 Stat. 29, 111, 171, 54 Stat. 989, 1008; 55 Stat. 722; 26 U. S. C. 55 (a), 508, 603, 729 (a) and 1204) and of the Executive order[1] issued thereunder, any income, excess-profits, declared value excess-profits, capital stock, estate, or gift tax return for any period to and including 1952, shall, during the Eighty-third Congress, be open to inspection by the Committee on Government Operations, House of Representatives, or any duly authorized subcommittee thereof, in connection with its studies of the operation of Government activities at all

[1] See Title 3, Executive Order 10455, *supra.*

levels with a view to determining its economy and efficiency.

(2) The inspection of returns authorized in this section may be made by the Committee or such duly authorized subcommittee thereof, acting directly as a Committee or as a subcommittee, or by or through such examiners or agents as the Committee or the subcommittee may designate or appoint in its written request hereinafter mentioned. Upon written request by the Chairman of the Committee or of the authorized subcommittee to the Secretary of the Treasury, giving the names and addresses of the taxpayers whose returns, it is necessary to inspect and the taxable periods covered by the returns, the Secretary and any officer or employee of the Treasury Department shall furnish such Committee or subcommittee with any data relating to or contained in any such return, or shall make such return available for inspection by the Committee or the subcommittee or by such examiners or agents as the Committee or the subcommittee may designate or appoint, in the office of the Commissioner of Internal Revenue. Any information thus obtained by the Committee or the subcommittee thereof shall be held confidential: *Provided, however* That any portion or portions thereof relevant or pertinent to the purpose of the investigation may be submitted by the Committee to the House of Representatives.

(b) Because of the immediate need of the said Committee to inspect the tax returns mentioned in this section, it is found that it is impracticable and contrary to the public interest to issue this section with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of that act.

(c) This section shall be effective upon its filing for publication in the FEDERAL REGISTER.

(53 Stat. 467; 26 U. S. C. 3791)

G. M. HUMPHREY,
Secretary of the Treasury.

Approved: May 22, 1953.

DWIGHT D. EISENHOWER,
The White House.

[F. R. Doc. 53-4640; Filed, May 25, 1953; 9:57 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter IV—Federal Coal Mine Safety Board of Review

PART 401—RULES OF PROCEDURE

Part 401 of this chapter (17 F R. 10500) is amended to read as follows:

DEFINITIONS

AUTHORITY: §§ 401.1 to 401.38 issued under sec. 205, 66 Stat. 697.

DEFINITIONS

§ 401.1 *Definitions.* As used in this part:

(a) The terms "Board" "Bureau", "Director" "duly authorized representative of the Bureau" "mine" "operator" shall have the meanings set forth in section 201 (a) of the Federal Coal Mine Safety Act (66 Stat. 692)

(b) (1) The term "act" means the Federal Coal Mine Safety Act.

(2) The term "closing order" means an order issued under sections 203 (a), 203 (c) or section 206 of the act, which requires an operator to cause persons to be withdrawn from, and to be debarred from entering an area of a mine.

(3) The term "classification order" means an order issued under section 203 (d) or section 206 of the act which requires the operator of a mine to comply with the provisions of section 209 of the act which pertains to gassy mines, in the operation of such mine.

(4) The term "applicant" means an operator who has applied to the Board for annulment or revision of a closing order or of a classification order or other action within the power of the Board.

(5) The term "respondent" means the Director of the United States Bureau of Mines in any proceeding before the Board for annulment or revision of a closing order, or of a classification order, or other action within the power of the Board.

INITIAL PROCEEDINGS

§ 401.2 *Who may initiate proceedings.* (a) An operator notified of a closing order or of a classification order made pursuant to section 203 of the act may apply directly to the Board for annulment or revision of such order without first seeking annulment or revision by appealing to the Director under section 206 of the act.

(b) An operator notified of a closing order or of a classification order made by the Director pursuant to section 206 of the act may apply to the Board for annulment or revision of such order.

§ 401.3 *Where to file.* Each application shall be filed with the Secretary of the Board, at the principal office of the Board in Room 676, Lafayette Building, 811 Vermont Avenue NW., Washington 25, D. C.

§ 401.4 *Form of application.*[1] (a) No special form of application is required to initiate an appeal under the act. However, each application shall include the following information:

(1) Name and address of operator.

(2) Name and address of mine.

(3) The order complained of. (This must be a complete copy of the order complained of.)

(4) The relief desired.

(5) Others facts sufficient to advise the Board of the nature of the proceeding.

(b) The application shall be signed by the operator, or by any person authorized to represent the operator under § 401.8.

§ 401.5 *Time for filing.* (a) Application for review of a closing order may be filed at any time while such order is in effect.

(b) Application for review of a classification order shall be filed not later than 20 days after receipt of notice of such order.

§ 401.6 *Computation of time.* Except as otherwise provided by law, in computing any period of time prescribed or allowed by this part, by any rule, regulation, or order of the Board, or by any applicable statute, the day of the act, event, or default from or after which the designated period of time begins to run shall not be included, but the last day of the period so computed shall be included, unless it is a Saturday, Sunday, or a legal holiday in the District of Columbia, in which event the period shall run until the end of the next day which is not a Saturday, Sunday, or a holiday.

[1] Forms which meet the requirements of section 401.4 may be obtained by operators or operators' associations from the Secretary of the Board, Room 676, Lafayette Building, 811 Vermont Avenue NW., Washington 25, D. C., or from the field offices of the Accident Prevention and Health Division, Bureau of Mines.

A part-day holiday shall be considered as other days and not as a holiday.

§ 401.7 *Service on Director; manner and proof.* (a) (1) The applicant shall send a copy of the application by registered mail to the Director at Washington, D. C.

(2) A copy of any request for temporary relief shall also be sent by registered mail to the Director at Washington, D. C.

(b) Proof of service must be made before the application or any request for temporary relief will be considered by the Board. A statement by the applicant or his attorney clearly stating the time, date, and place of mailing the copy will be accepted as prima facie proof of service.

§ 401.8 *Applicants; attorneys.* (a) Any person may file and prosecute his own application for review, or the application of a firm, partnership, corporation or association of which he is a member or an official and which he is authorized to represent.

(b) An applicant may be represented by an official of a coal mine operators' association of which he is a member and which official has been authorized to represent him.

(c) Any applicant may be represented by an attorney at law in good standing admitted to practice before the Supreme Court of the United States, or the highest court of any State or Territory of the United States or the Court of Appeals, or the District Court of the United States for the District of Columbia.

(d) Each attorney representing an applicant shall enter his appearance with the Board prior to participating in any proceeding before the Board, which appearance shall be made a part of the record.

(e) Any person appearing before or transacting business with the Board in a representative capacity may be required to file a power of attorney with the Board showing his authority to act in such capacity.

(f) The Board may disqualify, and deny, temporarily or permanently, the privilege of appearing or practicing before it in any way to any person who is found by the Board after hearing in the matter:

(1) Not to possess the requisite qualifications to represent others; or

(2) To be lacking in character or integrity or to have engaged in unethical or improper professional conduct.

(g) Contemptuous conduct at any hearing before the Board shall be ground for exclusion from said hearing and for summary suspension without a hearing for the duration of the hearing.

HEARING, EVIDENCE, TESTIMONY

§ 401.9 *Hearing; notice; place.* (a) Immediately upon the filing of an application the Board shall fix the time and place for a prompt hearing thereof. The Secretary of the Board shall notify the parties of the place and time of the hearing.

(b) Hearings may be held at the principal office of the Board in Washington, D. C., or at any other place designated by the Board.

(c) Upon its own motion, or upon proper cause shown by either party, the Board may advance or postpone the date of the hearing.

§ 401.10 *Testimony.* (a) Except as may be provided in other paragraphs of this section all witnesses at a hearing shall testify under oath or affirmation administered by a member of the Board and shall be subject to cross-examination.

(b) Any witness may, in the discretion of the Board, be examined separately and apart from all other witnesses except those who may be parties to the procedure.

(c) Whenever the Board deems that the interest of the public or of the parties may be promoted or that delay or an expense may be minimized, it may order testimony of any or all witnesses to be taken by deposition in accordance with §§ 401.25 to 401.31.

(d) With consent of the Board and of all parties to the proceeding, the testimony of any witness or witnesses may be submitted in the form of an affidavit of such witness or witnesses.

(e) With the consent of the Board the parties may stipulate what a particular witness would testify to if called, or may stipulate as to any or all facts in the case of any party.

§ 401.11 *Burden of proof.* (a) The burden of proof is on the respondent when he claims that danger or a violation of section 209, as set out in the order under review, existed at the time of the filing of the application, or that methane has been ignited or found in such mine as set out in the order under review. Following the presentation of respondent's evidence the applicant may present the evidence, and thereupon respondent may present evidence to rebut the applicant's evidence.

(b) In all other cases the Board shall designate the order of presentation of evidence.

§ 401.12 *Rules of evidence.* In any proceeding before the Board relevant and material evidence shall be admissible, but there shall be excluded such evidence as is unduly repetitious or cumulative, or such evidence as is not of the kind which would affect reasonable and fair-minded men in the conduct of their daily affairs.

§ 401.13 *Objections.* If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination he shall state briefly the grounds of such objection whereupon an automatic exception will follow if the objection is overruled by the Board.

§ 401.14 *Oral argument.* At the conclusion of the presentation of evidence the parties will be allowed one-half hour each for oral argument and fifteen minutes each for rebuttal, unless extended by the Board.

§ 401.15 *Briefs.* Parties to a hearing will be permitted to file briefs within time limits which will be set by the Board depending upon the facts in each individual case. Briefs shall be submitted in typewritten form. Five copies of each brief or reply brief shall be filed with the Board.

§ 401.16 *Request for findings of fact and conclusions of law.* Either party may submit concise proposed findings of fact, supported by specific references to and analysis of the record, if desired, and conclusions of law, supported by citation of authorities. The Board may in its discretion, adopt the proposed findings and conclusions in whole or in part, or enter an order without reference to such proposed findings and conclusions.

§ 401.17 *Temporary relief.* (a) Pending a hearing as provided in § 401.9 the applicant may request the Board for temporary relief from the order complained of in the application.

(b) The request shall state fully and completely the temporary relief desired and the reasons why applicant believes he is entitled to such relief.

(c) Immediately upon filing of an application for temporary relief, the Board shall fix a time and place for hearing. The Secretary of the Board shall notify the parties of the time and place of hearing.

(d) At the conclusion of the testimony the parties may, in the discretion of the Board, be permitted to present oral arguments.

(e) As soon after the conclusion of the hearings as may be practicable the Board will deny or grant such temporary relief as it may deem just and proper.

§ 401.18 *Copies of the testimony.* Hearings of the Board shall be recorded stenographically by a reporter for the Board. Copies of transcripts of hearings may be purchased from the Board's reporter at rates approved by the Board.

§ 401.19 *Inspection of the testimony.* After testimony is filed with the Secretary of the Board, it may be inspected in the office of the Board by any party to the case, but it cannot be withdrawn for the purpose of copying. It may be copied by someone specially designated or approved by the Board for that purpose, under proper restrictions and safeguards.

§ 401.20 *Additional time for taking testimony.* If either party shall be unable to procure the testimony of a witness or witnesses within the time limited and said time has expired or is about to expire, and desires additional time for such purpose, he must file a motion, accompanied by a statement under oath setting forth specifically the cause of such inability, the name or names of the witness or witnesses, the facts expected to be proved by such witness or witnesses, the steps which have been taken to procure such testimony, and the dates on which efforts have been made to procure it. The Board in its discretion may grant or deny said motion.

§ 401.21 *Official records and printed publications.* Official records and any special matter contained in a printed

publication, if competent evidence and pertinent to the issue, may be introduced in evidence by filing with the Board a notice to that effect, before the closing of the time for taking the evidence of the party, specifying the record or the printed publication, the page or pages thereof to be used, indicating generally the relevancy, and accompanied by the record or authenticated copy, or the printed publication or a copy. The notice and copies of the record or publication must be served on the other party.

SUBPENAS

§ 401.22 *Issuance of subpenas.* (a) Any member of the Board may, on the written application of a party or the Board's own motion, forthwith issue subpenas requiring the attendance and testimony of witnesses and the production of relevant papers, books and documents in their possession and under their control. If the application is made on the record while the hearing is in progress, it may be accepted in lieu of written request. Each request for a subpena shall indicate the person to be subpenaed and shall be supported by a showing of the general relevance and materiality of the evidence sought. An application for a subpena to compel a witness to produce documentary evidence shall be verified and shall specify with particularity the books, papers and documents desired and the facts expected to be proved thereby.

(b) If service of subpena is made by United States marshal or his deputy, such service shall be evidenced by his return thereon. If made by another person, such person shall make affidavit thereof, describing the manner in which service is made, and shall return such affidavit on or with the original subpena. In case of failure to make service, the reasons for the failure shall be stated on the original subpena. The original subpena, bearing or accompanied by the authorized return, affidavit or statement, shall be returned forthwith to the Secretary of the Board or, if so directed on the subpena, to the presiding officer before whom the person named in the subpena is required to appear.

§ 401.23 *Official notice of facts.* Official notice may be taken of such matters as might be judicially noticed by the courts of the United States or of any other matter of technical or scientific fact of established character peculiarly within the general knowledge of the Board as an expert body: *Provided,* That any party shall, on timely request, be afforded an opportunity to show the contrary.

§ 401.24 *Witness fees and mileage; payment.* Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken, and the persons taking such depositions, shall be entitled to the same fees as are paid for like services in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear, and the person taking the deposition shall be paid by the party at whose instance the deposition is taken.

DEPOSITIONS

§ 401.25 *Notice of examination of witnesses.* (a) Depositions may be taken after the party has filed with the Board a petition to take a deposition setting forth the grounds for same and the information in compliance with paragraphs (b) and (c) of this section, if the petition to take depositions has been approved by the Board.

(b) Before the depositions of witnesses shall be taken by a party, due notice in writing shall be given to the opposing party, as provided in paragraph (c) of this section, of the time when and place where the depositions will be taken, of the cause or matter in which they are to be used, and of the names and residences of the witnesses to be examined together with the name and address of the officer before whom the testimony is to be taken. The opposing party shall have full opportunity, either in person or by attorney, to cross-examine the witnesses. If the opposing party shall attend the examination of witnesses not named in the notice, and shall either cross-examine such witnesses or fail to object to their examination, he shall be deemed to have waived his right to object to such examination for want of notice. Neither party shall take testimony in more than one place at the same time, nor so nearly at the same time that reasonable opportunity for travel from one place of examination to the other cannot be had.

(c) The notice for taking testimony must be served (unless otherwise stipulated in an instrument in writing filed in the case) upon the attorney of record, if there be one, or, if there be no attorney of record, upon the adverse party. Reasonable time must be given therein for such adverse party to reach the place of examination. Such notice shall, with sworn proof of the fact, time, and mode of service thereof, be attached to the deposition or depositions, whether the opposing party shall have cross-examined or not.

§ 401.26 *Persons before whom depositions may be taken.* (a) Within the United States, or within a territory or insular possession of the United States, depositions shall be taken before an officer authorized to administer oaths by the laws of the United States or of the place where the examination is held.

(b) No such officer who is a relative or employee of either of the parties, or of their attorneys or agents, or interested, directly or indirectly, in the matter in controversy, either as counsel, attorney, agent or otherwise, shall be competent to take depositions, unless with the written consent of both parties.

§ 401.27 *Examinations of witnesses.* (a) Each witness before testifying shall be duly sworn according to law by the officer before whom his deposition is to be taken.

(b) The testimony shall be taken in answer to interrogatories, with the questions and answers recorded in their regular order by the officer, or by some other person (who shall be subject to the provisions of § 401.26 (b)) in the presence of the officer except when his presence is waived on the record by agreement in writing of the parties. The testimony shall be taken stenographically and transcribed, unless the parties present agree otherwise.

(c) In the absence of all opposing parties and their attorneys or agents, testimony may be taken in longhand, typewriting, or stenographically.

(d) All objections made at the time of the examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. The officer shall not have the power to rule upon any objections, but he shall note the objections upon the record.

(e) When the testimony has been transcribed, the deposition shall be carefully read over by the witness, or by the officer to him, and shall then be signed by the witness in the presence of the officer unless the reading and the signature be waived on the record by agreement of all parties. If the deposition is not signed because the witness is ill, deceased, cannot be found, or refuses to sign, such fact shall be included in the certificate of the officer.

§ 401.28 *Certification and filing by officer* (a) The officer shall annex to the deposition his certificate showing:

(1) Due administration of the oath by the officer to the witness before the commencement of his testimony.

(2) The name of the person before whom the testimony was taken down, and whether, if not taken down by the officer, it was taken down in his presence.

(3) The presence or absence of the adverse party.

(4) The place, day, and hour of commencing and taking the deposition.

(5) That the deposition was read by or to the witness before he signed the same, and that he signed the same in the presence of the officer.

(6) The fact that the officer was not disqualified as specified in § 401.26 (b)

(b) If any of the requirements specified in paragraph (a) (1) through (6) of this section are waived, the certificate shall so state. The officer shall sign the certificate and affix thereto his seal of office, if he have such seal. Unless waived on the record by agreement, he shall then, without delay, securely seal in an envelope all the evidence, notices, and paper exhibits, inscribe upon the envelope a certificate giving the number and title of the case, the name of each witness, and the date of sealing, and deliver the envelope, in person or by registered mail, to the Secretary of the Board. If the weight or bulk of an exhibit shall exclude it from the envelope it shall, unless waived on the record by agreement of all parties, be authenticated by the officer and transmitted in a separate package, marked and forwarded to the Secretary of the Board by suitable means.

§ 401.29 *Form of deposition.* The pages of each deposition must be numbered consecutively, and the name of the witness plainly and conspicuously writ-

ten at the top of each page. The testimony may be written on legal-size or letter-size paper, with a wide margin on the left-hand side of the page, and with the writing on one side only of the sheet. The questions propounded to each witness must be consecutively numbered and each question must be followed by its answer.

§ 401.30 *Depositions must be filed.* All depositions which are taken must be duly filed promptly with the Secretary of the Board. On failure to file within 5 days after completion of the testimony the Board in its discretion will not further hear or consider the contestant with whom the failure lies; and the Board may, in its discretion, receive and consider a copy of the withheld deposition, attested by such evidence as is procurable or disregard the deposition completely.

§ 401.31 *Effect of errors and irregularities in depositions.* Notice will not be taken of merely formal or technical objections which shall not appear to have wrought a substantial injury to the party raising them; and in case of such injury it must be made to appear that, as soon as the party became aware of the ground of objection, he gave notice thereof.

(a) *As to notice.* All errors and irregularities in the notice for taking a deposition are waived unless objection is promptly made and served in writing upon the party giving the notice.

(b) *As to disqualification of officer* Objection to taking a deposition because of disqualification of the officer before whom it is to be taken is waived unless made before the taking of the deposition begins or as soon thereafter as the disqualification becomes known or could be discovered with reasonable diligence.

(c) *As to taking of deposition.* (1) Objections to the competency of a witness or to the competency, relevancy, or materiality of testimony are not waived by failure to make them before or during the taking of the deposition, unless the ground of the objection is one which might have been obviated or removed if presented at that time.

(2) Errors and irregularities occurring at the oral examination in the manner of taking the deposition, in the form of the questions or answers, in the oath or affirmation, or in the conduct of the parties, and errors of any kind which might be obviated, removed, or cured if promptly presented, are waived unless seasonable objection thereto is made at the taking of the deposition.

(d) *As to completion and return of deposition.* Errors and irregularities in the manner in which the testimony is transcribed or the deposition is prepared, signed, certified, sealed, indorsed, transmitted, filed, or otherwise dealt with by the officer are waived unless a motion to suppress the deposition or some part thereof is made with reasonable promptness after such defect is, or with due diligence might have been, ascertained.

TERMINATION OF PROCEEDINGS

§ 401.32 *Prior to finding.* At any stage of the proceeding prior to the making of a finding by the Board, upon the submission, by either the applicant or the Director, of a copy of an order issued by the Director annulling or revising the order which the applicant is seeking review by the Board, an order dismissing the application may be entered by the Board in its discretion without further proceedings.

§ 401.33 *After hearing.* Unless terminated as provided in § 401.32, at the conclusion of the hearing or as soon thereafter as is practicable the Board will make an order affirming, revising, or annulling the order under review.

§ 401.34 *Finding and order: form and content.* Each finding and order shall be in writing, shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. A true copy of the findings and order in each case shall be sent to all parties or to their attorneys of record and shall be published by the Board in such manner as it deems advisable. Each finding and order shall be entered upon the official record of the Board together with any written opinion prepared by any member in support of, or dissenting from such finding or order.

APPEAL TO THE UNITED STATES COURTS OF APPEALS

§ 401.35 *Appeal to the Court.* (a) Any party dissatisfied with a final order issued by the Board may appeal to the United States Court of Appeals for the circuit in which the mine affected is located.

(b) The appeal is initiated by the filing in the appropriate appellate court of a notice of appeal within thirty days from the date of the making of the order.

(c) A copy of such notice of appeal must be sent forthwith to the other party and to the Board.

§ 401.36 *Record on appeal.* (a) Upon receipt of the copy of the notice of appeal, the Secretary of the Board will prepare and file in the designated appellate court, a certified complete transcript of the record of the proceedings before the Board.

(b) The party making the appeal must pay the costs of the complete transcript of the record before it is filed with the court.

GENERAL

§ 401.37 *Amendments or additions; effective date.* All amendments or additions to this part will be published in the FEDERAL REGISTER and, unless otherwise specified, shall become effective as of the date of adoption by the Board.

§ 401.38 *Hearings and records.* Hearings of the Board and the official records pertaining to proceedings under section 207 of the act shall be open to the public.

Adopted by the Federal Coal Mine Safety Board of Review at its office in Washington, D. C., on the 19th day of May 1953.

TROY L. BACK,
Secretary of the Board.

[F. R. Doc. 53-4585; Filed, May 25, 1953; 8:48 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 5 and Directions 1 and 2—Revocation]

CMP REG. 5—MAINTENANCE, REPAIR, AND OPERATING SUPPLIES, INSTALLATION, AND MINOR CAPITAL ADDITIONS UNDER THE CONTROLLED MATERIALS PLAN

REVOCATION

CMP Regulation No. 5, as amended June 25, 1952 (17 F R. 5726), and as further amended by Amendment 1 of January 22, 1953 (18 F R. 511) and Directions 1 (17 F R. 2658) and 2 (16 F R. 10263) to said regulation, are hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under CMP Regulation No. 5 and Directions 1 and 2 thereto as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said regulation and directions prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2154)

This revocation is effective July 1, 1953.

Issued: May 25, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W AUXIER,
Executive Secretary.

[F. R. Doc. 53-4657; Filed, May 25, 1953; 11:04 a. m.]

[CMP Regulation No. 7—Revocation]

CMP REG. 7—REPAIR PARTS AND MATERIALS FOR REPAIRMEN UNDER THE CONTROLLED MATERIALS PLAN

REVOCATION

CMP Regulation No. 7, as amended December 20, 1951 (16 F R. 12827), and as further amended by Amendment 1 of February 7, 1952 (17 F R. 1216) is hereby revoked effective July 1, 1953: *Provided, however,* That section 7 of CMP Regulation No. 7 is hereby revoked effective May 25, 1953.

This revocation does not relieve any person of any obligation or liability incurred under CMP Regulation No. 7 as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said regulation prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

Issued: May 25, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W AUXIER,
Executive Secretary.

[F. R. Doc. 53-4655; Filed, May 25, 1953; 11:04 a. m.]

[NPA Order M-78—Revocation]

M-78—MAINTENANCE, REPAIR, OPERATING SUPPLIES, AND CAPITAL ADDITIONS FOR MINING INDUSTRY

REVOCATION

NPA Order M-78 (17 F R. 5392) is hereby revoked effective July 1, 1953: *Provided, however* That section 11 of NPA Order M-78 is hereby revoked effective May 25, 1953.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-78, as originally issued or as thereafter amended from time to time, nor deprive any person of any rights received or accrued under said order prior to the effective dates of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

Issued: May 25, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W AUXIER,
Executive Secretary.

[F. R. Doc. 53-4656; Filed, May 25, 1953; 11:04 a. m.]

[NPA Order M-87—Revocation]

M-87—MAINTENANCE, REPAIR, AND OPERATING SUPPLIES, AND CAPITAL ADDITIONS FOR THE SOLID FUELS INDUSTRIES UNDER THE CONTROLLED MATERIALS PLAN

REVOCATION

NPA Order M-87 (16 F. R. 10853) is hereby revoked effective July 1, 1953: *Provided, however* That section 10 of NPA Order M-87 is hereby revoked effective May 25, 1953.

This revocation does not relieve any person of obligation or liability incurred under NPA Order M-87, nor deprive any person of any rights received or accrued under said order prior to the effective dates of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

Issued: May 25, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-4658; Filed, May 25, 1953; 11:04 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS CLAIMS

ADJUDICATION OF APPLICATIONS OF EMPLOYEE-CLAIMANTS; JURISDICTION OF CLAIMS DIVISION, CENTRAL OFFICE

1. Section 3.12 is revised to read as follows:

§ 3.12 *Adjudication of applications of employee-claimants.* Applications for disability compensation or pension, presented by veterans in the employ of the Veterans' Administration, will be adjudicated in the claims division, veterans claims service, central office. Accordingly, all such applications will be transferred by field offices to central office when an employee-claimant in either the competitive or excepted service has been continuously employed for 90 days, provided that no adjudication is necessary during such period. If any adjudication is necessary in the case of an employee-claimant during the 90-day period, such claim will be transferred to central office immediately. (See § 3.1025 (b).)

2. In § 3.1025, paragraph (b) is amended to read as follows:

§ 3.1025 *Jurisdiction of the claims division, central office.* * * *

(b) Where the veteran is an employee in either the competitive or excepted service who has been continuously employed for 90 days in the Veterans' Administration. (See § 3.12.) This provision is not applicable to member-employees.

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective May 26, 1953.

[SEAL] H. V. STERLING,
Deputy Administrator

[F. R. Doc. 53-4603; Filed, May 25, 1953; 8:52 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

INDONESIA

In § 127.278a *Indonesia (Alor Is., Amboina, Aru Is., Babar Bali, Banda, Banka, Batjan, Bawean, Bengkalis, Billiton, Bintan, Borneo (Kalimantan) Bura, Buton, Celebes (Sulawesi), Ceram, Flores, Geser Halmahaira, Java (Djawa) Kai Is., Kalimantan (Borneo), Kangean, Karimum, Kisar Kundur, Laut, Lombok, Madura, Morotai, Muna, Roti, Salajar Salibabu, Sambu, Sanjir Is., Saparua, Sapudi, Siantan, Siau, Singkep, Sula Is., Sulawesi (Celebes), Sumatra, Sumba, Sumbawa, Tanimbar Is., Tarakan, Tebingtinggi, Ternate, Timor (formerly Netherlands Timor), and Weh)* (18 F. R. 1042) amend subparagraphs (5) and (6) of paragraph (b) to read as follows:

(5) *Observations.* (i) Service is restricted to gift parcels. Before parcels are accepted for mailing, the senders shall be required to mark them to show they are gifts.

(ii) The customs declarations must show both the gross weight of the whole parcel and the net weight of each item.

Gift parcels are generally free of duty, provided that (*a*) the value does not exceed 20 gold francs ($6.67), (*b*) the wrapper and customs declaration are marked "Gift Parcel—For the personal use of the addressee" and (*c*) the parcel does not contain more than 200 cigarettes, 50 cigars, 1 pound 1½ ounces of chopped tobacco, or the same weight of assorted tobacco products.

(iii) Addressees are required to obtain import licenses for all gift parcels exceeding 300 rupiahs (about $25) in value, and for those containing any articles which may be considered by the Indonesian authorities as luxury items.

(iv) Special authorization is required for the importation of the following: Arms and parts thereof; dry white lead which must be for scientific or medical use; motion-picture films which must be inspected and approved by an official commission at Djakarta; antibiotic drugs.

(6) *Prohibitions*—(*a*) *For the protection of plants.* (*a*) See "Postal Union Mails" for conditions of importation of parasites and predators of harmful insects.

(*b*) Certain plants and plant products are prohibited from importation or are admitted under restrictions. Interested patrons may be informed that information can be obtained from the Bureau of Entomology and Plant Quarantine, Department of Agriculture, Washington 25, D. C., or from one of the offices of that Bureau located at principal ports of entry.

(ii) *For other reasons.* (*a*) Publications advocating unlawful or treasonable activities. Amulets.

(*b*) Counterfeit money. Articles violating the trademark laws.

(*c*) Sarongs and all manufactured articles bearing batik designs.

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] ROSS RIZLEY,
Solicitor.

[F. R. Doc. 53-4579; Filed, May 25, 1953; 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 834]

ALASKA

TRANSFERRING PORTION OF LANDS RESERVED BY EXECUTIVE ORDER 8872 TO JURISDICTION OF DEPARTMENT OF THE AIR FORCE; WITHDRAWING ADDITIONAL LANDS; AND PARTIALLY REVOKING EXECUTIVE ORDER NO. 8872

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F. R. 4831) it is ordered as follows:

All public lands, except those hereinafter described as Tracts Nos. 2 and 3, reserved for the use of the War Department by Executive Order No. 8872 of August 27, 1941, as amended by Executive Order No. 9526 of February 28, 1945, are hereby reserved for and transferred to the jurisdiction of the Department of the Air Force as an aerial gunnery and bombing range.

Subject to valid existing rights, the public lands in Tract No. 1, described be-

low, which are contiguous to the public lands reserved and transferred as provided above, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Air Force as a part of the said aerial gunnery and bombing range:

TRACT NO. 1

Beginning at the southwest corner of area withdrawn by E. O. 8872 of August 27, 1941, which corner is located at the highest point on Redoubt Volcano, latitude 60°29'03.04" N., longitude 152°44'29.29" W., thence

Northerly 61.4 miles approximately, to intersection of latitude 61°20' N., longitude 152°20' W.

Northeasterly 18.7 miles approximately, to northwest corner of area withdrawn by E. O. 8872, latitude 61°24'30" N., longitude 151°48'00" W.

S. 63° 05' 00.10" W., 16.77 miles along west boundary of area withdrawn by E. O. 8872 to Mt. Spurr.

S. 16° 10' 04.84" W., 58.74 miles along west boundary of area withdrawn by E. O. 8872 to point of beginning.

The tract described contains approximately 86,085 acres.

It is intended that all the public lands reserved as provided in this order shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

The said Executive Order No. 8872, as amended, is hereby revoked as to the public lands in the areas hereinafter described as Tracts No. 2 and No. 3:

TRACT NO. 2

Beginning at U. S. C. & G. S. Station "Harry" located on Harriet Point at the south end of Redoubt Bay, Cook Inlet, latitude 60°23'48.28" N., longitude 152°14'06.24" W., thence;

N. 70° 14' 13.32" W., 4.2 miles;

Northeasterly 23.0 miles parallel to and 1 mile from the line of mean high tide of Cook Inlet, to the north shore of Katnu River.

N. 42° E., 7.5 miles; N. 33° E., 4.7 miles; N. 21° W., 1.2 miles; N. 33° E., 6.5 miles; N. 44° E., 10.5 miles; N. 53° 30' E., 6.3 miles to west boundary of Moquawkie Indian Reservation, withdrawn by E. O. 2141 of February 27, 1915.

South along west boundary of said reserve to line of mean high tide of Cook Inlet.

Southwesterly 66.0 miles approximately along line of mean high tide of Cook Inlet to a point S. 70° 14' 13.32" E. of initial point.

N. 70° 14' 13.32" W., 25 feet to point of beginning.

The tract described contains approximately 62,180 acres.

TRACT NO. 3

Beginning at a point on the line of mean high tide Cook Inlet from which U. S. C. & G. S. Station "Beluga" bears N. 66° 12' 03.30" E., 150 feet; Station "Beluga" being located approximately 1¼ miles northeast of the mouth of the Beluga River, in latitude 61°12'43.26" N., longitude 150°53'29.12" W., thence

N. 66° 12' 03.30" W., 1.0 mile;

S. 63° W., 5.7 miles;

S. 16° 30' W., 1.3 miles;

S. 63° W., 7.5 miles to center of Chuitna River.

Easterly 7.0 miles approximately along center of Chuitna River to its mouth at Cook Inlet.

Northeasterly 12.0 miles approximately along line of mean high tide Cook Inlet to point of beginning.

The tract described contains approximately 12,350 acres.

The public lands in the areas described as Tracts No. 2 and No. 3 shall, at 10:00 a. m. on the 35th day after the date of this order, subject to valid existing rights and the provisions of existing withdrawals, be opened to settlement under the homestead laws and the home site act of May 26, 1934 (48 Stat. 809; 48 U. S. C. 461) only and to those forms of appropriation only by qualified veterans of World War II for whose services recognition is granted by the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284) as amended, and by other qualified persons entitled to credit for service under the said act. Commencing at 10:00 a. m. on the 126th day after the date of this order, any of such lands not settled upon by veterans or other persons entitled to credit for service shall become subject to settlement and other forms of appropriation by the public generally in accordance with the appropriate laws and regulations.

Applications for these lands, which shall be filed in the Land Office, Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the home site or homestead laws shall be governed by the regulations contained in Parts 64 to 66, inclusive, of Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Anchorage, Alaska.

DOUGLAS MCKAY,
Secretary of the Interior

MAY 19, 1953.

[F. R. Doc. 53-4571; Filed, May 25, 1953; 8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicles

[Ex Parte No. MC-43 [1]]

PART 207—LEASE AND INTERCHANGE OF VEHICLES

MISCELLANEOUS AMENDMENTS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 18th day of May A. D. 1953.

The matter of rules and regulations governing the lease and interchange of vehicles by motor carriers prescribed by order dated May 8, 1951, being under consideration; and

It appearing, that the said rules and regulations have not yet been made effective; and

It further appearing, that pursuant to a consideration of a number of petitions filed in the above-entitled proceeding and replies thereto, and upon the record as made, some modification and clarification of §§ 207.3, 207.4, and 207.5 is warranted; and good cause appearing therefor:

It is ordered, That the following sections of the said rules and regulations be amended as hereafter indicated:

1. In § 207.3 modify the preliminary statement so that it will read as follows:

§ 207.3 *Exemptions.* Other than § 207.4 (c) and (d), relative to inspection and identification of equipment, and § 207.6, relative to rental of equipment, these rules shall not apply:

2. In § 207.3 (e) modify the present paragraph so that it will read as follows:

(e) To the lease of equipment without drivers by an authorized carrier from an individual, copartnership or corporation, whose principal business is the leasing of equipment without drivers for compensation.

3. In § 207.3 following paragraph (e) of this section add paragraph (f) as follows:

(f) To equipment other than a power unit, provided that such equipment is not drawn by a power unit leased from the lessor of such equipment.

4. In § 207.4 (a) (4) (i) modify the present subdivision so that it will read as follows:

(i) For the duration of said contract, lease or other arrangement, except that provision may be made therein for considering the lessee as the owner for the purpose of subleasing under this part to other authorized carriers during such duration;

5. In § 207.4 (a) (4) (ii) modify the present subdivision so that it will read as follows:

(ii) When entered into by authorized carriers of household goods, for the transportation of household goods, as defined by the Commission, during the period the equipment is operated by or for the authorized carrier, lessee;

6. In § 207.4 (c) substitute a period for the colon following the last sentence of this paragraph which precedes the "Report of Vehicle Inspection" and add the following sentence: "When equipment other than a power unit is leased, a form of report applicable to such equipment may be used."

7. In § 207.5 (c) modify the present paragraph (c) so that it will read as follows:

(c) *Driver of interchanged equipment.* Except as provided in subparagraph (1) of this paragraph, each carrier must assign its own driver to operate the equipment that is proposed to be operated from and to the point or points of interchange and over the routes or within the territory authorized in the participating carriers' respective certificates of public convenience and necessity.

(1) Authorized common carriers, holding certificates of public convenience and necessity from this Commission authorizing the transportation, in interstate or foreign commerce, over irregular

[1] 16 F. R. 4804.

routes, of articles or commodities which, because of their size, weight or shape, require the use of special equipment, may perform a through movement of such articles or commodities on such special equipment, without change of drivers at the point of interchange.

8. In § 207.5 (f) modify the present paragraph so that it will read as follows:

(f) *Identification of equipment.* The authorized carriers operating equipment in interchange service under this section shall carry with each vehicle so operated a copy of the contract, lease, or other arrangement while the equipment is being operated in the interchange service. Authorized carriers operating power units in interchange service shall identify such equipment in accordance with the Commission's requirements in Ex Parte No. MC-41, part 166 of this chapter.

9. In § 207.5 following paragraph (f) of this section add paragraph (g) as follows:

(g) *Through movement involving more than two carriers.* For the purpose of this section a lessee of equipment on a through movement involving more than two carriers, shall be considered the owner of the equipment for the purpose of leasing the equipment for movement to destination or for return to the originating carrier.

It is further ordered, That this order shall become effective on September 1, 1953.

Notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304)

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-4589; Filed, May 25, 1953; 8:49 a. m.]

[Ex Parte No. MC-43]

PART 207—LEASE AND INTERCHANGE OF VEHICLES

AUGMENTING EQUIPMENT

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 18th day of May A. D. 1953.

Upon consideration of the record in the above-entitled proceeding, and of:

(1) Petition of National Grange, dated February 23, 1953, to postpone until January 1, 1954, the effective date of § 207.4 (a) (3) of the lease and interchange rules;

(2) Petition of American Farm Bureau, dated March 12, 1953, to postpone indefinitely determination of effective date of rules;

(3) Petition of International Apple Association, dated March 18, 1953, for postponement of effective date of order, particularly § 207.4 (a) (3), pending action by Congress on certain bills (S. 925 and H. R. 3203)

(4) Petition of United Fresh Fruit and Vegetable Association, dated March 25, 1953, for exemption of haulers of agricultural products from § 207.4 (a) (3) of leasing rules or postponement thereof, until Congress acts on S. 925 and H. R. 3203;

(5) Reply of Class I Railroads of America, dated April 2, 1953, to the extent applicable to the above petitions;

(6) Reply of International Brotherhood of Teamsters-Chauffeurs-Warehousemen & Helpers of America, filed April 6, 1953, to the extent applicable to the above petitions;

and good cause appearing therefor:

It is ordered, That § 207.4 (a) (3) of the rules and regulations prescribed by order dated May 8, 1951, in the above-entitled proceeding be amended to read as follows:

(3) Shall specify the period for which it applies, which shall be not less than 30 days when the equipment is to be operated for the authorized carrier by the owner or employee of the owner; excepting:

(i) That for a period of six months from the date these rules become effective, equipment specified in section 203 (b) (6) of the Act, 49 U. S. C. 303 (b) (6) may be utilized by authorized carriers under contracts, leases or other arrangements applying for less than 30 days, only on condition the equipment is being returned over reasonably direct routes from the destinations of shipments of the commodities specified in section 203 (b) (6) of the Act, 49 U. S. C. 303 (b) (6), or points intermediate thereto, or the commercial zones of such destinations and intermediate points, as defined by the Commission, to the origins of such shipments, or points intermediate thereto, or the commercial zones of such origins and intermediate points, as defined by the Commission; and that thereafter,

(ii) A carrier may lease the motor vehicle owned by a producer or grower of agricultural commodities or of livestock for any period where such producer or grower uses the vehicle in transporting his agricultural commodities or livestock to market and the motor carrier desires to use it for transportation authorized by its certificate on the return of the vehicle to a point in the State from which the agricultural products or livestock were transported, provided the motor carrier receives at the time of the lease a statement signed by such producer or grower, giving the origin and destination of the shipment of agricultural commodities or livestock and authorizing the driver to lease the vehicle for the return trip;

It is further ordered, That this order shall become effective on September 1, 1953;

And it is further ordered, That the said petitions, to the extent they seek greater or different relief than that granted herein, be, and they are hereby, denied.

Notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C. and by filing a copy with the Director, Division of the Federal Register.

(49 Stat. 546, as amended, 49 U. S. C. 304)

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-4587; Filed, May 25, 1953; 8:48 a. m.]

[Ex Parte No. MC-43]

PART 207—LEASE AND INTERCHANGE OF VEHICLES

ORDER FIXING EFFECTIVE DATE

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 18th day of May A. D. 1953.

Upon further consideration of the record in the above-entitled proceeding:

It appearing, that on January 12, 1953, the Supreme Court of the United States, in an opinion in American Trucking Assns., Inc., et al. v. United States, et al., Eastern Motor Express, Inc., et al. v. United States, et al., and Secretary of Agriculture of United States, et al. v. United States, et al., Nos. 26, 35, and 36, October term, 1952, reported in American Trucking Assns. v. United States, 344 U. S. 298, affirmed judgments entered respectively by the United States District Court for the Northern District of Alabama, in American Trucking Associations, Inc. v. United States, 101 F. Supp. 710, and the United States District Court for the Southern District of Indiana, in Eastern Motor Express, Inc., et al. v. United States, 103 F. Supp. 694, which judgments denied permanent injunctions against the enforcement of the order heretofore entered in said proceeding prescribing rules and regulations;

And it further appearing, that on March 9, 1953, the Supreme Court denied a petition for rehearing in the proceedings first above cited, and that on March 13, 1953, the injunction against enforcement of the said order pending appeal, theretofore entered by the United States District Court for the Southern District of Indiana was duly dissolved;

It is ordered, That the order entered in said proceeding on May 8, 1951, which was subsequently modified to become effective upon further order of the Commission, following the termination in the United States Supreme Court of the appeal decided in American Trucking Assns. v. United States, 344 U. S. 298, be, and the said order of May 8, 1951, is hereby, modified so as to become effective September 1, 1953.

(49 Stat. 546, as amended; 49 U. S. C. 304)

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-4533; Filed, May 25, 1953; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 6]

HUNTING AND POSSESSION OF WILDLIFE

MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

Pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237) and the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704) as amended notice is hereby given that the Secretary of the Interior proposes to take the following action:

To adopt amendments to the regulations under the Migratory Bird Treaty Act which will specify open seasons, certain closed seasons, means of hunting, shooting hours, and bag limits for migratory game birds.

The proposed amendments specifying open seasons and limits for migratory game birds, except woodcock, coot and waterfowl (but including scoter, eider, and old-squaw ducks in open coastal waters beyond outer harbor lines in certain North Atlantic Coast States and waterfowl and coot in Alaska) and those relating to other matters will be adopted not later than July 27, 1953, to become effective September 1, 1953. Proposed amendments specifying open seasons, limits, and shooting hours for other waterfowl, coot and woodcock will be adopted not later than August 24, 1953, and become effective not later than October 1, 1953.

The public is hereby invited to participate in the preparation of the amended regulations to be adopted as set forth above, by submitting their views, data, or arguments in writing to the Director, Fish and Wildlife Service, Washington 25, D. C. on or before July 1, 1953.

DOUGLAS MCKAY,
Secretary of the Interior

MAY 19, 1953.

[F R. Doc. 53-4572; Filed, May 25, 1953; 8:45 a. m.]

[50 CFR Part 10]

IMPORTATION OF WILD BIRD FEATHERS

NOTICE OF PROPOSED RULE MAKING

The act of July 17, 1952 (66 Stat. 755) so amended paragraph 1518 of the Tariff Act of 1930 (19 U. S. C., sec. 1001, par. 1518) as to prescribe a general prohibition against the importation of the feathers or skin of any bird whether raw or processed, whether the whole plumage or skin or any part of either, whether or not attached to a whole bird or any part thereof, and whether or not forming part of another article. The prohibition against importation applies whether the bird is wild or domesticated and the only exceptions to the prohibition are provided by new subparagraphs (c) and (d) of paragraph 1518.

Subparagraph (c) provides that the prohibition against importation shall not apply in certain prescribed circumstances which are not material for the purposes of this notice. Subparagraph (d) provides that there may be entered, or withdrawn from warehouse, for consumption in each calendar year the following quotas of skins bearing feathers:

(1) For use in the manufacture of artificial flies used for fishing: (A) Not more than 5,000 skins of grey jungle fowl (Gallus sonneratii) and (B) not more than 1,000 skins of mandarin duck (Dendronessa galericulata) and

(2) For use in the manufacture of artificial flies used for fishing, or for millinery purposes, not more than 45,000 skins, in the aggregate, of the following species of pheasant: Lady Amherst pheasant (Chrysolophus amherstiae) golden pheasant (Chrysolophus pictus) silver pheasant (Lophura nycthemera) Reeves pheasant (Syrmaticus reevesii) blue-eared pheasant (Crossoptilon auritum) and brown-eared pheasant (Crossoptilon mantchuricum)

Subparagraph (e) provides that no article specified in subparagraph (d) shall be entered, or withdrawn from warehouse, for consumption except under a permit issued by the Secretary of the Interior. The said subparagraph (e) further provides that the Secretary of the Interior shall prescribe such regulations as may be necessary to carry out the purposes and provisions of subparagraph (d) including regulations providing for equitable allocation among qualified applicants of the import quotas established by such subparagraph.

The experience gained in allocating quotas and issuing importation permits for the year 1952 pursuant to the regulations published in the December 20, 1952, issue of the FEDERAL REGISTER (17 F R. 11655) has demonstrated a need for substantial revisions in these regulations to prescribe proper conditions to govern the allocation of quotas for 1953 and subsequent years.

Accordingly, pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237) notice is hereby given that the Secretary of the Interior proposes to amend §§ 10.1 to 10.5, inclusive, Title 50, Code of Federal Regulations, to read as follows:

Sec.
10.1 Application.
10.2 Filing date.
10.3 Allocation of quotas.
10.4 Importation permits.
10.5 Compliance with other regulations.

§ 10.1 *Application.* All persons desiring to share in the annual allocation of import quotas for skins bearing feathers of birds of the species specified in subparagraph (d) of paragraph 1518 of the Tariff Act of 1930, as amended, shall make application within the time allowed in § 10.2 by letter addressed to the Director, Fish and Wildlife Service, Washington 25, D. C., containing the following information:

(a) Name and address of applicant and nature of feather business, such as importer, dealer in raw feathers, manufacturer, processor, or distributor.

(b) Port at which entry has been or is to be made.

(c) Quantity of each species of bird skin for which an importation permit is desired.

(d) Applicants requesting permits for the skins of grey jungle fowl (Gallus sonneratii) and mandarin duck (Dendronessa galericulata) shall certify in their applications that such skins are to be used only in the manufacture of artificial flies used for fishing.

§ 10.2 *Filing date.* Applications for quota allocations and importation permits shall be postmarked not earlier than June 15, nor later than July 15 of the year in which an allocation is sought. Applications postmarked other than during the period allowed in this section shall not be considered. Each envelope containing an application as provided in § 10.1 shall bear on its face the inscription "Application for Quota Allocation."

§ 10.3 *Allocation of quotas.* As soon as practicable after the closing date for the receipt of applications as provided in § 10.2, all applications timely filed shall be considered and tentative quota allocations shall be made by the following method:

(a) The number of eligible applications received shall be divided into the quotas of bird skins available for the current year for the respective species, thereby determining, the average number of each species of bird skin the several applicants would be entitled to receive on an equal basis.

(b) Any person who shall have applied for an allocation in an amount equal to or less than the average quanity established pursuant to § 10.3 (a) for all applicants for the particular species of bird skin shall be entitled to receive a tentative allocation equal to the quantity applied for.

(c) Any quantity of bird skins of a particular species remaining after meeting tentatively the requests of applicants for allocations in amounts equal to or less than the average quantity established for all applicants shall be added to the unallocated quotas and the quantities thus remaining in the allowable quotas for the several species of bird skins shall tentatively be allocated equally among applicants seeking allocations in excess of the average quantities available for allocation.

(d) Following ascertainment of the tentative allocations of quotas allowable to the several applicants for the respective species of bird skins, as provided in this section, each applicant shall be furnished a tabulation by Registered Mail, Return Receipt Requested, listing the quantities of each species of bird skin for which an allocation was re-

quested and the quantities proposed to be allocated to each applicant. By letter addressed to the Director, Fish and Wildlife Service, Washington 25, D. C., postmarked not later than 30 days after the date of receipt of notice of the proposed allocation of quotas, each applicant must report that he is still desirous of receiving the proposed allocation and must furnish proof satisfactory to the said Director evidencing that orders for the desired bird skins have been placed or other appropriate steps have been taken looking to the importation of bird skins to be charged to the allocations proposed to be made. Applicants failing to respond to the notice of proposed allocations as required in this paragraph shall be deemed to have abandoned their applications and the quantities of bird skins which otherwise would be allocated to them shall become available for allocation among applicants who shall have submitted the required showing. Applicants who use any means for submitting the showing required by this paragraph other than Registered Mail, do so at their own risk.

(e) Any quantity of bird skins of the respective species which may become available for allocation through the failure of one or more applicants to submit a proper response to the notice of proposed allocation for the year under consideration, shall promptly be allocated among those applicants whose requests for allocations were not satisfied in full; utilizing the methods prescribed in paragraphs (a) (b) and (c) of this section to determine the additional quantity of bird skins allowable to each such applicant.

§ 10.4 *Importation permits.* As soon as practicable after the allocations tentatively made for the year under consideration shall have been finally determined, the quantities of the respective species of bird skins allocated to the successful applicants shall be evidenced by importation permits issued in letter form directed to the respective Collectors of Customs at the Ports of Entry specified by the applicants in their applications. Such permits shall authorize the entry, or withdrawal from warehouse, for consumption of the quantities of bird skins allocated to each applicant. A copy of the importation permit shall be furnished each successful applicant as notice to him of the allocation finally made in response to his application. Each such importation permit shall be non-transferable, shall be valid only through December 31 of the year of issue (subject to extension for good cause upon application filed prior to expiration date) and shall be subject to cancellation only if the Secretary of the Interior determines that it has been mistakenly issued, that the applicant therefor has made a material misrepresentation in connection therewith, or that the person in whose behalf it was issued has informed the Secretary that he will be unable to bring or import the allowed quota of bird skins into the United States during the period specified in the permit or any extension thereof.

§ 10.5 *Compliance with other regulations.* Any importation permitted by the regulations in this part is also subject to any applicable health, quarantine, customs, or other requirements imposed by law or by regulations of duly authorized Federal or State agencies and municipalities.

The public generally and, in particular, importers, dealers, distributors, processors, manufacturers, and others who, directly or indirectly, may be interested or engaged in the manufacture of artificial flies used for fishing, or the manufacture of millinery products, and may desire to share in the annual allocations to be made of the import quotas established by the said subparagraph (d) of the Tariff Act of 1930, as amended, are hereby invited to make comment on or otherwise to participate in the preparation of the proposed amendments to §§ 10.1 to 10.5, inclusive, Title 50, Code of Federal Regulations, as above set forth, by submitting their views, data, or arguments in writing to the Director, Fish and Wildlife Service, Washington 25, D. C., on or before June 1, 1953.

Issued at Washington, D. C., this 19th day of May 1953.

DOUGLAS MCKAY,
Secretary of the Interior.

[F. R. Doc. 53-4573; Filed, May 25, 1953; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 723]

CIGAR-FILLER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO

ESTABLISHMENT OF FARM ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1954-55 MARKETING YEAR

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1312, 1313) the Secretary of Agriculture is preparing to formulate regulations governing the establishment of farm acreage allotments and normal yields for the 1954 crop of (a) cigar-filler (type 41) tobacco and (b) cigar-filler and binder (types 42-44, 51-55, inclusive) tobacco, if marketing quotas are in effect during the 1954-55 marketing year for either one or both of such kinds of tobacco. The Agricultural Adjustment Act of 1938, as amended, includes types 42-44 and 51-55 in the definition of cigar-filler and cigar-binder tobacco, and type 41 as cigar-filler tobacco.

The applicability of the regulations to be issued for either of such kinds of tobacco will be contingent upon the proclamation of a national marketing quota for such kind of tobacco pursuant to section 312 of the act (7 U. S. C. 1312), and upon approval of quotas by growers voting in a referendum.

It is contemplated that the respective regulations for these two kinds of tobacco will be substantially the same as those issued with respect to the 1953 crops (17 F. R. 6631, 6809, and 6619, 6758, 8093, respectively), except as discussed below.

(1) The acreage limitation for use by county and community committees in making relationship adjustments in old farm tobacco acreage allotments is changed in the case of cigar-filler and binder (types 42-44, 51-55) tobacco, from 4 percent to 2 percent of the total acreage allotted to all tobacco farms in the State for the 1953-54 marketing year unless the State committee recommends and the Administrator, Production and Marketing Administration, approves a higher percentage not to exceed 4 percent of the total acreage allotted to all tobacco farms in the State for the 1953-54 marketing year. The acreage limitation for such adjustments in the case of cigar-filler (type 41) tobacco remains at 2 percent of the 1954 State acreage allotment.

(2) The eligibility requirements for a new farm allotment have been changed to require the farm operator to have had one year of experience during the past five years in the kind of tobacco for which an allotment is requested rather than two years of such experience. Also, the farm covered by the application is required to be the only farm owned or operated by the farm operator for which a cigar-filler and binder tobacco or cigar-filler tobacco allotment, as the case may be, is established for the 1954-55 marketing year, whereas for the 1953-54 marketing year such requirements also extended to the owner of the farm. The closing date for filing applications for new farm allotments has been established as March 12, 1954, which is in line with the date established for cigar-filler and binder tobacco in the 1953-54 marketing year and appears to be desirable for cigar-filler tobacco also rather than the earlier date established for cigar-filler tobacco for the 1953-54 marketing year.

Prior to the final adoption and issuance of the regulations, consideration will be given to any data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than 15 days from the date this notice is published in the FEDERAL REGISTER in order to be considered.

Issued at Washington, D. C., this 21st day of May 1953.

[SEAL] M. B. BRASWELL,
Acting Administrator.

[F. R. Doc. 53-4610; Filed, May 25, 1953; 8:54 a. m.]

[7 CFR Parts 725, 726]

BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN-CURED TOBACCO

ESTABLISHMENT OF TOBACCO FARM ACREAGE ALLOTMENTS FOR 1954-55 MARKETING YEAR

Pursuant to the authority contained in the applicable provisions of the Agri-

cultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1312, 1313, 1375) the Secretary of Agriculture is preparing to formulate regulations governing the establishment of farm acreage allotments and normal yields for marketing quotas to be in effect during the 1954–55 marketing year for Burley, flue-cured, fire-cured, dark air-cured, and Virginia sun-cured tobacco.

Subsection (a) of section 312 of the act (7 U. S. C. 1312) requires the Secretary to proclaim a national marketing quota for each marketing year for each kind of tobacco for which a national marketing quota was proclaimed for the immediately preceding marketing year. Marketing quotas were proclaimed for the 1953–54 marketing year for Burley tobacco (17 F R. 10134, 11189) for flue-cured tobacco (17 F R. 6022, 18 F R. 172) and, for fire-cured tobacco, dark air-cured tobacco, and Virginia sun-cured tobacco (17 F R. 10589)

Tobacco growers favored marketing quotas for the 1954-55 marketing year in referenda held pursuant to the act (7 U. S. C. 1312) as follows:

Kind of tobacco:	Federal Register
Burley	17 F. R. 11737.
Flue-cured	17 F. R. 7613.
Fire-cured	16 F. R. 13119.
Dark air-cured	16 F. R. 13119.
Virginia sun-cured	17 F. R. 11380.

It is proposed that the regulations governing the establishment of farm acreage allotments and normal yields for Burley and flue-cured tobacco for the 1954–55 marketing year be substantially the same as the regulations in effect for the 1953–54 marketing year (17 F R. 6063, 6809, 10758)

It is proposed that the regulations governing the establishment of farm acreage allotments and normal yields for fire-cured, dark air-cured, and Virginia sun-cured tobacco for the 1954–55 marketing year be substantially the same as the regulations in effect for the 1953–54 marketing year, (17 F R. 6184, 6428, 10590, 10758) except it is proposed that (1) § 726.416 (g) relating to increases in preliminary farm allotments for fire-cured tobacco and (2) § 726.429 relating to the transfer of farm acreage allotments, be eliminated.

Prior to the final adoption and issuance of these regulations, consideration will be given to any data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than 15 days after the date of publication of this notice in the Federal Register in order to be considered.

Issued at Washington, D. C. this 21st day of May 1953.

[SEAL] M. B. Braswell,
Acting Administrator

[F. R. Doc. 53-4611; Filed May 25, 1953; 8:55 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 661]

Puerto Rico: Banking, Insurance, and Finance Industries

Minimum Wage Rates

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended, hereinafter called the act, the Administrator of the Wage and Hour Division, United States Department of Labor, by Administrative Order No. 424, dated December 22, 1952, as amended by Administrative Orders Nos. 425 and 426, dated December 30, 1952 and January 19, 1953, respectively, appointed Special Industry Committee No. 13 for Puerto Rico, hereinafter called the Committee, and directed the Committee to investigate conditions in a number of industries in Puerto Rico specified and defined in said orders, including the banking, insurance, and finance industries in Puerto Rico, and to recommend minimum wage rates for employees engaged in commerce or in the production of goods for commerce in such industries.

For purposes of investigating conditions in and recommending minimum wage rates for the banking, insurance, and finance industries in Puerto Rico, the Committee included three disinterested persons representing the public, a like number representing employers, and a like number representing employees in the banking, insurance, and finance industries in Puerto Rico, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico. After investigating economic and competitive conditions in the banking, insurance, and finance industries, the Committee filed with the Administrator a report containing its recommendation for a minimum wage rate of 75 cents an hour to be paid to employees in the banking, insurance, and finance industries in Puerto Rico who are engaged in commerce or in the production of goods for commerce.

Pursuant to notices published in the Federal Register and circulated to all interested persons, public hearings upon the Committee's recommendations were held before Hearing Examiner Clifford P Grant, as presiding officer, in Washington, D. C., on May 4, 1953, at which all interested parties were given an opportunity to be heard. After the hearing was closed the record of the hearing was certified to the Administrator by the presiding officer.

Upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, I have concluded that the recommendation of the Committee for a minimum wage rate of 75 cents an hour for the banking, insurance, and finance industries in Puerto Rico, as defined, was made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act.

I have set forth my decision in a document entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 13 for a Minimum Wage Rate in the Banking, Insurance, and Finance Industries in Puerto Rico", a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.

Accordingly notice is hereby given, pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) and the rules of practice governing this proceeding, that I propose to approve the recommendation of the Committee for the Banking, Insurance, and Finance Industries in Puerto Rico, and to revise the wage order contained in this part to read as set forth below to carry such recommendation into effect. Within 15 days from publication of this notice in the Federal Register, interested parties may submit written exceptions. Exceptions should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate, and should include supporting reasons for any exceptions.

Sec.
661.1 Wage rate.
661.2 Notices of order.
661.3 Definition of the banking, insurance, and finance industries in Puerto Rico.

Authority: §§ 661.1 to 661.3 issued under sec. 8, 63 Stat. 915; 29 U. S. C. 208. Interpret and apply sec. 5, 63 Stat. 911; 29 U. S. C. 205.

§ 661.1 *Wage rate.* Wages at a rate of not less than 75 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the banking, insurance, and finance industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 661.2 *Notices of order* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the banking, insurance, and finance industries in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 661.3 *Definition of the banking, insurance, and finance industries in Puerto Rico.* The banking, insurance, and finance industries in Puerto Rico, to which this part shall apply, is hereby defined as follows: The business, whether or not for profit, carried on by any banking, insurance, or other financial institution or enterprise.

Signed at Washington, D. C., this 19th day of May 1953.

WM. R. McCOMB,
Administrator
Wage and Hour Division.

[F. R. Doc. 53-4575; Filed, May 25, 1953; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

GENERAL RULES AND REGULATIONS UNDER SECURITIES EXCHANGE ACT 1934

EXEMPTION OF CERTAIN TRANSACTIONS FROM SECTION 16 (b)

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal for the amendment of § 240.16b-1 (Rule X-16B-1) under section 16 (b) of the Securities Exchange Act of 1934. At present this rules provides an exemption from section 16 (b) for any purchases and sales or sales and purchases which are effected by an investment company registered under the Investment Company Act of 1940 when both the purchase and sale have been exempted from the provisions of section 17 (a) of the Investment Company Act by an order of the Commission entered pursuant to section 17 (b) of that act.

The new rule would make the exemption from 16 (b) applicable to either a purchase or a sale which has been exempted from the provisions of section 17 (a) of the Investment Company Act by an order of the Commission entered pursuant to section 17 (b) of the act, if both of the transactions which would otherwise form the basis for liability under section 16 (b) of the Securities Exchange Act have been disclosed to the Commission in connection with the application for exemption. It is proposed that the new rule be made retroactive in order that its benefits may be available to persons or companies which have hitherto been accorded exemptions from the Investment Company Act.

The text of the proposed rule is as follows:

§ 240.16b-1 *Exemption from section 16 (b) of certain transactions by registered investment companies.* (a) Any sale of a security shall be exempt from the operation of section 16 (b) of the act, as not comprehended within the purpose of that section, if the sale is made to or by an investment company registered under the Investment Company Act of 1940 and (1) the transaction has been exempted from the provisions of section 17 (a) of the Investment Company Act of 1940 by an order of the Commission entered pursuant to section 17 (b) of the act; and (2) both the sale and the purchase or purchase and sale which give rise to the liability have been disclosed to the Commission in connection with the application for exemption.

(b) Any purchase of a security shall be exempt from the operation of section 16 (b) of the act, as not comprehended within the purpose of that section, if the purchase is made by or from an investment company registered under the Investment Company Act of 1940 and (1) the transaction has been exempted from the provisions of section 17 (a) of the Investment Company Act of 1940 by an order of the Commission entered pursuant to section 17 (b) of the act; and (2) both the sale and the purchase or purchase and sale which give rise to the liability have been disclosed to the Commission in connection with the application for exemption.

(c) The exemption created pursuant to this section shall apply to any liability under section 16 (b) existing at or after the effective date of this section, but shall not be deemed to affect judgments rendered prior to that date.

All interested persons are invited to submit data, views and comments on the above proposal in writing to the Securities and Exchange Commission at its principal office, 425 Second Street NW., Washington 25, D. C., on or before June 15, 1953.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

MAY 19, 1953.

[F. R. Doc. 53-4589; Filed, May 25, 1953; 8:47 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Federal Maritime Board

TORM LINES ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended, 39 Stat. 733, 46 U. S. C. 814.

(1) Agreement No. 7909 between Dampskibsselskabet Torm A/S (Torm Lines) and Bull Insular Line, Inc., covers the transportation of cargo under through bills of lading from Argentina, Uruguay and Brazil to Puerto Rico, with transhipment at New York, Baltimore or Philadelphia.

(2) Agreement No. 8170, between the Member Lines of the Continental North Atlantic Westbound Freight Conference, is a proposed new agreement of that conference providing for the establishment and maintenance of agreed equal rates and charges and practices for and in connection with the transportation of cargo from or via ports of Germany, Belgium and The Netherlands in the range between Hamburg (included) and boundary line of Belgium and France to United States North Atlantic ports in the Hampton Roads/Portland, Maine, range, except cargo within the scope of the Swiss/North Atlantic Freight Conference. Upon approval this agreement will supersede and cancel the present conference agreement (No. 7000, as amended)

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: May 21, 1953.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 53-4606; Filed, May 25, 1953; 8:53 a. m.]

National Production Authority

[Suspension Order 61, Docket No. 73]

WROUGHT IRON KITCHEN EQUIPMENT CO.

SUSPENSION ORDER

A hearing having been held in the above-entitled proceeding on the 15th day of April 1953 before Ernest J. Brown, a hearing commissioner of the National Production Authority, on a statement of charges made in accordance with NPA General Administrative Order 16-06 (16 F. R. 8628) dated July 21, 1951, Rules of Practice 1, Revised (18 F. R. 1592) and Delegation of Authority under NPA-GAO 16-06 (17 F. R. 2098), and upon the answer of the respondent filed in said proceeding and a stipulation of facts executed by Jonathan B. Rintels, attorney for the National Production Authority, and Walter H. Lobdell, employee and director for the respondent, Wrought Iron Kitchen Equipment Co., 33 Bowker Street, Boston, Massachusetts; and the respondent having been duly apprised of the specific violations charged and the administrative action which may be taken, and having been fully informed of the rules and procedures which govern these proceedings, and having been represented therein by its employee and director, Walter H. Lobdell, and the National Production Authority having been represented by Jonathan B. Rintels of the Office of the General Counsel, the parties having been heard, and a stipulation of facts having been introduced, and after due deliberation; it is hereby determined:

Findings of fact. 1. Wrought Iron Kitchen Equipment Co. (hereinafter referred to as the respondent) is a corporation organized under the laws of Massachusetts. Since 1936 it has been

engaged in the manufacture of kitchen equipment for restaurants, schools, and hospitals, including sinks, waste bins, serving tables, dish tables, troughs, and stainless steel shelves.

2. The products manufactured by the respondent are Class B products.

3. In the period commencing January 1, 1952, and ending December 31, 1952, the respondent produced Class B products; to wit, kitchen equipment for restaurants and hospitals, including sinks, waste bins, serving tables, dish tables, troughs, and stainless steel shelves, without an authorized production schedule, using in such unauthorized production 31,824 pounds of a controlled material; to wit, nickel-bearing stainless steel, in violation of section 3 (c) of CMP Reg. 1 as amended November 23, 1951 (16 F R. 11860) and as amended November 18, 1952 (17 F R. 10548)

4. During the period commencing January 14, 1952, and ending December 31, 1952, the respondent placed authorized controlled material orders for a controlled material; to wit, nickel-bearing stainless steel, in the aggregate amount of 6,387 pounds, said authorized controlled material orders being without authorization and not within any related allotment received by it, in violation of section 19 (f) of CMP Regulation No. 1 as amended November 23, 1951 (16 F R. 11860) and as amended November 18, 1952 (17 F R. 10548)

5. During the period commencing April 25, 1952, and ending November 28, 1952, the respondent placed orders for nickel-bearing stainless steel products with steel distributors in the United States and received the quantities purchased pursuant to such orders in the aggregate amount of 18,323 pounds without endorsing on its purchase orders or delivering with such purchase orders the certification required by section 3 (c) of NPA Order M-6A, Schedule 3, dated April 23, 1952 (17 F R. 3649)

6. The respondent and its officers failed to distinguish between Class A products and Class B products, and were under the impression that priority ratings received from customers could be extended to cover the purchase of controlled materials for the manufacture of Class B products. Some, but not all of the purchases of nickel-bearing stainless steel made by it in violation of NPA regulations are attributable to this misunderstanding, ignorance, and confusion. Although the respondent was legally obligated to comply with the regulations and orders of NPA, to the extent that its failure to do so was based on such misunderstanding and confusion, it cannot be regarded as wilful. It was at no time advised by counsel as to the requirements of NPA regulations affecting its business.

7. Approximately 62.5 percent of the production of Class B products by the respondent was sold to noncommercial consumers, consisting of public schools, state institutions, and public hospitals.

Conclusions. In the period commencing January 1, 1952, and ending December 31, 1952, respondent used 31,824 pounds of nickel-bearing stainless steel, a controlled material, in violation of section 3 (c) of CMP Regulation No. 1, as amended November 23, 1951, and as amended November 18, 1952, and placed authorized controlled material orders for such nickel-bearing stainless steel in the aggregate amount of 6,387 pounds without authorization, in violation of section 19 (f) of CMP Regulation No. 1, as so amended. These violations caused dislocations and disruptions in the priority and allocation program of the National Production Authority, and are not of a technical character. In view of my finding that these violations were not wilful, I am prepared to assume in favor of the respondent, that if they had applied for allotments for the manufacture of certain Class B products, such allotments would have been granted. It appears that approximately 37.5 percent of the respondent's production in 1952 was sold to commercial consumers, the balance having been sold to public institutions, schools, hospitals, and similar projects. I conclude that the minimum recoupment which is required to correct the disruptions and dislocations occasioned by these violations is approximately 37.5 percent of the nickel-bearing stainless steel used without authorization by the respondent, or 12,000 pounds.

2. The respondent violated section 3 (c) of NPA Order M-6A, Schedule 3, dated April 23, 1952, during the period commencing April 25, 1952, and ending November 28, 1952, by failing to place the required certification on its purchase orders for 18,323 pounds of nickel-bearing stainless steel during said period. In view of the fact that the acts constituting this violation are related to the acts constituting the unauthorized and excessive purchases found to have been made by the respondent during the same period, and part of the same transactions, they need not form the basis of any separate or distinct relief to the NPA.

In order to correct the dislocations and disruptions in the priority and allocation program occasioned by the violations herein found, and in order to prevent future violations of NPA regulations and orders by the respondent,

It is accordingly ordered. (1) That allocations and allotments of nickel-bearing stainless steel for the production of Class B products heretofore made to Wrought Iron Kitchen Equipment Co., its successors or assigns, for the second quarter of the year 1953, beginning April 1, 1953, and ending June 30, 1953, in the amount of 27,700 pounds, be reduced by 8,000 pounds to the amount of 19,700 pounds of nickel-bearing stainless steel for such quarter.

(2) That allocations and allotments of nickel-bearing stainless steel for the production of Class B products heretofore made to Wrought Iron Kitchen Equipment Co., its successors or assigns, for the third quarter of the year 1953, beginning July 1, 1953, and ending September 30, 1953, in the amount of 7,700 pounds be reduced by 4,000 pounds to the amount of 3,700 pounds of nickel-bearing stainless steel for such quarter.

(3) That this order is without prejudice to any subsequent application or applications by Wrought Iron Kitchen Equipment Co. for increase in its allocations and allotments of nickel-bearing stainless steel for the second and third quarters of 1953 by reason of facts or factors subsequently transpiring or developing, or not heretofore advanced or considered in support of the allocations and allotments heretofore made for the second and third quarters of 1953.

Issued at Boston, Mass., this 15th day of May 1953.

NATIONAL PRODUCTION AUTHORITY,
By ERNEST J. BROWN,
Hearing Commissioner

[F. R. Doc. 53-4659; Filed, May 25, 1953; 11:04 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6500]

GULF STATES UTILITIES CO.

NOTICE OF APPLICATION

MAY 19, 1953.

Take notice that on May 15, 1953, an application was filed with the Federal Power Commission, pursuant to section 204 (a) of the Federal Power Act, by Gulf States Utilities Company, a corporation organized under the laws of the State of Texas and doing business in the States of Louisiana and Texas, with its principal business office in Beaumont, Texas, seeking an order authorizing the issuance of such number of whole shares of its presently authorized but unissued Common Stock, without par value, as will yield an aggregate price to the Applicant of $6,000,000 before payment of expenses of issuance, at competitive bidding. The proposed Common Stock will be issued on or before June 30, 1953; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the fifth day of June 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-4576; Filed, May 25, 1953; 8:46 a. m.]

[Docket Nos. G-1914, G-2090]

TEXAS ILLINOIS NATURAL GAS PIPELINE CO. AND CHICAGO DISTRICT PIPELINE CO.

NOTICE OF EXTENSION OF TIME

MAY 19, 1953.

In the matters of Texas Illinois Natural Gas Pipeline Company, Docket No. G-1914; Chicago District Pipeline Company, Docket No. G-2090.

Upon consideration of the motion by Texas Illinois Natural Gas Pipeline Company filed May 11, 1953, for extension of time within which to comply with paragraph B (i) of the Commission's order issued April 16, 1953;

Notice is hereby given that an extension of time is granted to and including

June 15, 1953, within which Texas Illinois Natural Gas Pipeline Company shall file with the Commission its plan of financing, with firm commitments, as required by said order issued April 16, 1953.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-4577; Filed, May 25, 1953; 8:46 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-250]

MILLINERY INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, partnerships, corporations, organizations, or other parties, including farm, labor, and consumer groups, affected by or having an interest in the proposed trade practice rules for the millinery industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than June 17, 1953. Opportunity to be heard orally will be afforded at the hearing beginning at 10:00 a. m., e. d. t., June 17, 1953, in Room 532, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any such persons, firms, partnerships, corporations, organizations, or other parties, who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

The industry for which trade practice rules are sought to be established through these proceedings is composed of persons, firms, corporations, and organizations engaged in the importation, production, or marketing of millinery products.

Issued: May 21, 1953.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 53-4605; Filed, May 25, 1953; 8:52 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

CENTRAL OFFICE

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

Section II, *Central Office organization and final delegations of authority to Central Office officials,* is amended as follows:

The first sentence of paragraph d and the list of Field Offices is amended to read as follows:

d. The Operations Division is headed by an Assistant Commissioner for Operations who is responsible to the Commissioner for activities of the Operations Division and of the Field Offices, the headquarters and jurisdictions of which are as follows:

Atlanta: Alabama, Florida, Georgia, Mississippi, South Carolina, Tennessee, Public Housing Administration, Peachtree-Seventh Street Building, 50 Seventh Street NE., Room 358, Atlanta, Ga.

Boston: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Public Housing Administration, Oliver Building, 141 Milk Street, Boston 9, Mass.

Chicago: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin. Public Housing Administration, 201 North Wells Street, Chicago 6, Ill.

Fort Worth: Arkansas, Colorado, Louisiana, New Mexico, Oklahoma, Texas. Public Housing Administration, Room 2000, 300 West Vickery Boulevard, Fort Worth 4, Tex.

New York: Delaware, Maryland, New Jersey, New York, Pennsylvania, District of Columbia. Public Housing Administration, 346 Broadway, New York 13, N. Y.

Puerto Rico: Puerto Rico and Virgin Islands. Public Housing Administration, P. O. Box 9197, Santurce, P. R.

Richmond: Kentucky, North Carolina, Virginia, West Virginia. Public Housing Administration, 900 North Lombardy Street, Richmond 20, Va.

San Francisco: Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming, the Territory of Alaska, the Territory of Hawaii. Public Housing Administration, 1360 Mission Street, San Francisco 3, Calif.

Date approved: May 19, 1953.

JOHN TAYLOR EGAN, *Commissioner*

[F. R. Doc. 53-4578; Filed, May 25, 1953; 8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

TOWNSITE TRUSTEE'S AWARD; SOUTH ADDITION, CORDOVA TOWNSITE

MAY 19, 1953.

Notice is hereby given by the undersigned Trustee, South Addition, Cordova Townsite, that he will on or after June 20, 1953, proceed to award lots that may be applied for within said townsite. All lots for which applications are not filed within 120 days from the date of this notice will be subject to disposition to the highest bidder at public sale. Only those who are occupants of lots or were entitled to such occupancy on May 15, 1951, the date of acceptance of the subdivisional plat of survey of said townsite, or their assigns thereafter, are entitled to the allotments herein provided. All who are not occupants of the lots claimed at the time of the subdivisional survey in the field must be able to substantiate their claims proving chain of title.

All claimants must file their applications for deeds with the Townsite Trustee, Box 1431, Juneau, Alaska, setting forth the basis for their claims to each lot included in the application. Each application must be verified by the affidavit of the claimant and corroborated by two witnesses. The affidavits may be subscribed and sworn to before any officer authorized to administer oaths and must bear his seal. Applications must be accompanied by money order or certified check made payable to the Townsite Trustee for the full assessment on the lot or lots applied for as shown in the attached list.

Blank applications may be obtained from the undersigned or from W F Meek, Field Examiner, who will be at the City Hall, Cordova, Alaska, on June 20, 1953.

U. S. SURVEY No. 2331 A & B

BLOCKS AND LOTS—SOUTH ADDITION CORDOVA TOWNSITE

Block No. 1

Lot:	
1	$22.73
2	22.63
3	22.63
4	23.02
5	22.11
6	20.86

Block No. 2

All	$32.61

Block No. 3

All	$15.65

Block No. 4

Lot:	
1	$33.64
2	37.03
3	20.47
4	59.92
5	64.58
6	12.83

Block No. 5

All	$99.59

Block No. 6

Lot:	
1	$10.59
2	10.59
3	10.59
4	10.59
5	10.76
6	10.59
7	15.94
8	39.22
9	29.17
10	26.01
11	45.59
12	24.70
13	21.59
14	21.91
15	20.95
16	20.92

Block No. 7

Lot:	
1	$13.39
2	18.34
3	18.83
4	18.35
5	18.91
6	21.63
7	32.54
8	28.93

Block No. 7—Con.

Lot:	
9	$21.63
10	21.63
11	25.32
12	21.63
13	21.71

Block No. 8

Lot:	
1	$23.37
2	33.77
3	67.37
4	13.65
5	13.91
6	10.59
7	19.49
8	27.23
9	30.17
10	11.10
11	13.64
12	31.12
13	10.59
14	16.94
15	10.59
16	10.59
17	10.59
18	13.11
19	16.93
20	12.14

Block No. 9

Lot:	
1	$23.77
2	23.74
3	25.63

Block No. 10

Lot:	
1	$103.00
2	24.53
3	20.46
4	37.22
5	22.43
6	21.77
7	32.17
8	10.59
9	14.01
10	34.51
11	19.06
12	11.69
13	13.01
14	10.59
15	10.63
16	11.53

LOWELL M. PUCKETT, *Regional Administrator and Townsite Trustee.*

[F. R. Doc. 53-4596; Filed, May 25, 1953; 8:51 a. m.]

[Misc. No. 1]

UTAH

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MAY 18, 1953.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. sec. 315g) the following described lands have been reconveyed to the United States:

SALT LAKE MERIDIAN

T. 9 N., R. 18 W.
Sec. 3, Lots 3, 4, S½NW¼, SW¼,
Sec. 9, E½,
Sec. 15, W½,
Sec. 21, E½,
Sec. 27, W½,
Sec. 33, E½.
T. 10 N., R. 18 W.
Sec. 3, Lot 4, SW¼NW¼, W½SW¼,
Sec 9, E½, E½W½,
Sec. 15, W½W½,
Sec. 21, E½,
Sec. 27, W½,
Sec. 33, E½.
T. 32 S., R. 25 E.
Sec. 19, E½.
T. 22 S., R. 6 W.
Sec. 32, E½NE¼.

The areas described aggregate 4,031.60 acres.

The lands are primarily suitable for grazing.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a) as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284) as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office at Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to Manager, Land and Survey Office, Salt Lake City, Utah.

H. BYRON MARK,
Regional Administrator

[F. R. Doc. 53–4595; Filed, May 25, 1953; 8:50 a. m.]

Office of the Secretary

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER TRANSFERRING A PORTION OF THE LANDS RESERVED BY EXECUTIVE ORDER NO. 8372 TO THE JURISDICTION OF THE DEPARTMENT OF THE AIR FORCE; WITHDRAWING ADDITIONAL LANDS; AND PARTIALLY REVOKING EXECUTIVE ORDER NO. 8372 [1]

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

DOUGLAS MCKAY,
Secretary of the Interior

MAY 19, 1953.

[F. R. Doc. 53–4574; Filed, May 25, 1953; 8:45 a. m.]

[1] See Title 43, Chapter I, Appendix, PLO 894, *supra*.

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 4–63, 54–169, 68–84]

MARKET STREET RAILWAY CO. ET AL.

ORDER APPROVING AMENDMENT TO MODIFIED PLAN FOR LIQUIDATION AND DISSOLUTION OF MARKET STREET RAILWAY CO.

MAY 13, 1953.

In the matter of Market Street Railway Company, File No. 54–169; Market Street Railway Company and Standard Gas and Electric Company and certain of its subsidiary companies, File No. 4–63; Russell M. Van Kirk, Bloomfield Hulick, Edmund T. Willetts, Committee for the Market Street Railway Company prior preference capital stock, File No. 68–84.

Market Street Railway Company ("Market Street") formerly a nonutility subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, has filed a Supplemental Application, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 (the "act"), seeking approval of Amendment No. 1 to a certain "Modified Amended Plan for Liquidation and Dissolution of Market Street Railway Company" (the "Plan") The Plan proposed the liquidation and dissolution of Market Street in two steps. Step I provided, in essence, for the settlement of certain claims among Market Street and its affiliates; the payment of certain fees and expenses; the payment of a partial liquidating distribution of $15.00 a share to the holders of Market Street's Prior Preference 6 Percent Cumulative Stock ("prior preference stock"), the disposition of certain other claims; the reduction of all assets to cash; and dissolution. Step II provided for the subsequent payment of such fees and expenses in connection with the Plan as might be allocated, awarded or approved by the Commission, and the distribution of the remaining cash of the company to the prior preference stockholders. The Plan

was heretofore approved by order of the Commission dated October 24, 1950, and Step I thereof was ordered enforced by the United States District Court for the Northern District of California, Southern Division, on November 21, 1950.

Said amendment proposes to change the provisions of Step II to provide for certain interim action pending completion of both steps of the Plan and provides, in substance, for a second partial distribution of $3.50 a share to the prior preference stockholders; a payment of $10,000 to Milton Paulsen for legal services rendered in connection with proceedings on the Plan; the subsequent payment of such other fees and expenses in connection with the Plan as shall have been allocated, awarded and approved by the Commission; and the distribution of the then remaining cash on a pro rata basis to the prior preference stockholders. The amendment states that Market Street does not intend to make any severance payments to any persons formerly employed by the company.

A public hearing was duly held after appropriate notice and all interested persons were afforded an opportunity to be heard with respect to the supplemental application. Certain former employees of Market Street appeared at said hearings through counsel and objected to the Plan, as amended, insofar as it failed to provide for severance payments to said employees. Additionally, William J. Cogan, pro se and as counsel for a prior preference stockholder, requested that the Commission's order herein be conditioned to require Market Street to file a further application with the Commission before it files a Certificate of Dissolution as contemplated by Step I of the Plan, heretofore ordered enforced.

The Commission having considered the entire record in the matter and on the basis thereof having on November 28, 1952, entered its third supplemental findings and opinion (Holding Company Act Release No. 11606) finding that Step II of the Plan, as amended, is necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby; and

On the 19th day of January 1953 an application in the nature of an application for leave to adduce additional evidence having been filed with the Commission on behalf of said severance pay claimants, and the Commission having determined that the evidence proffered by said application, insofar as material to the proceeding, is already included in the record and that the requested leave should be denied; and

Market Street having requested the Commission pursuant to section 11 (e) of the act to apply to said District Court in accordance with the provisions of sections 11 (e) and 18 (f) of the act to enforce and carry out certain portions of Step II of the Plan, as amended:

It is ordered, Pursuant to section 11 (e) of the act, on the basis of said third supplemental findings and opinion that Step II of the Plan, as amended, be, and it hereby is approved, effective forthwith, subject to the terms and conditions contained in Rule U-24, and the following additional terms and conditions and reservations of jurisdiction:

(1) That the order entered herein shall not be operative to authorize the proposed distribution of $3.50 a share to the prior preference stockholders and the payment of $10,000 to Milton Paulsen until the United States District Court for the Northern District of California, Southern Division, upon application thereto by the Commission shall have entered its order enforcing such portions of Step II, as amended, including the provision that Market Street will make no severance payments to former employees who, at the time of the filing of said Amendment No. 1 were not in the employ of the company;

(2) That jurisdiction be, and hereby is, specifically reserved over any further distributions which may be made to the prior preference stockholders and the efforts which may be made to locate such stockholders; and

(3) That the jurisdiction heretofore reserved over the payment of fees and expenses be, and the same hereby is, continued except as to Milton Paulsen;

(4) That jurisdiction be, and hereby is, specifically reserved to entertain such further proceedings and to make such further and supplemental findings and to take such further action as may be necessary in connection with the Plan, as amended, the transactions incident thereto and the consummation thereof.

It is further ordered, That the application for leave to adduce additional evidence filed by certain former employees of Market Street be, and the same hereby is, denied.

It is further ordered, That the request of William J. Cogan that the Commission require the filing by Market Street of a further application with respect to its proposed dissolution be, and the same hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-4581; Filed, May 25, 1953; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 562, Taylor's I. C. C. Order 16]

MISSOURI PACIFIC RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Charles W. Taylor, Agent, the Missouri Pacific Railroad Company, (Guy A. Thompson, Trustee), because of high water, is unable to transport traffic routed over its line between Kinder and De Quincy, Louisiana: *It is ordered,* That:

(a) Rerouting traffic: The Missouri Pacific Railroad Company, (Guy A. Thompson, Trustee) being unable to transport traffic routed over its line between Kinder and De Quincy, Louisiana, account high water, is hereby authorized to divert or reroute such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 2:00 p. m., May 19, 1953.

(g) Expiration date: This order shall expire at 11:59 p. m., May 25, 1953, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., May 19, 1953.

INTERSTATE COMMERCE COMMISSION,
CHARLES W. TAYLOR, *Agent.*

[F. R. Doc. 53-4586; Filed, May 25, 1953; 8:48 a. m.]

[4th Sec. Application 28037]

PAPER FROM DARIEPAK, GA., TO WESTERN TRUNK-LINE TERRITORY

APPLICATION FOR RELIEF

MAY 21, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Paper and paper articles, carloads.

From: Dairypak, Ga.

To: Points in western trunk-line territory.

Grounds for relief: Rail and market competition, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1317, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-4590; Filed, May 25, 1953; 8:49 a. m.]

[4th Sec. Application 28099]

SCRAP PAPER FROM MONROE AND WEST MONROE, LA., TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

MAY 21, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act:

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Scrap or waste paper, carloads.

From. Monroe and West Monroe, La.

To: Points in official territory.

Grounds for relief: Rail competition, circuitous routes and additional routes.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 3992, Supp. 9.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-4592; Filed, May 25, 1953; 8:49 a. m.]

[4th Sec. Application 28101]

PROPORTIONAL RATES ON CORN FROM POINTS IN ILLINOIS TO CHICAGO, ILL.

APPLICATION FOR RELIEF

MAY 21, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by The Illinois Central Railroad Company.

Commodities involved: Corn, carloads.

From: Dixon, Eldena, Amboy, Sublette, Henkel, Mendota, Culton, Dimmick, La Salle, Oglesby, and Tonica, Ill.

To: Chicago, Ill.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-4594; Filed, May 25, 1953; 8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 19306, Amdt.]

CERTAIN GERMAN NATIONALS

In re: Securities owned by unknown German nationals.

Vesting Order 19306 dated April 15, 1953, is hereby amended as follows and not otherwise: By deleting from subparagraph 2 of said Vesting Order 19306 the number "M5056" and substituting therefor the number "M5066"

All other provisions of said Vesting Order 19306, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 20, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-4597; Filed, May 25, 1953; 8:51 a. m.]

MARIA GIORGIONI AND SILVANO SEBASTIANI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Maria Giorgioni, Mercatello, Province of Pesaro, Italy, Claim No. 42574; $878.68 in the Treasury of the United States. Silvano Sebastiani, Mercatello, Province of Pesaro, Italy, Claim No. 42575; $878.68 in the Treasury of the United States.

Executed at Washington, D. C., on May 19, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-4600; Filed, May 25, 1953; 8:51 a. m.]

ERNA K. SCHOCH

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Erna K. Schoch, nee Koester, also known as Erna Koester Schoch and as Erna Schoch-Koester, 58/I Linprunstrasse, Munich, Germany, Claim No. 42360; $88,230.44 in the Treasury of the United States.

Executed at Washington, D. C., on May 19, 1953.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-4599; Filed, May 25, 1953; 8:51 a. m.]